

INTERNATIONAL LAW SECTION

Agenda

Saturday , January 29, 2005

10:00 am to 3:00 pm

Palace Hotel, San Francisco

AGENDA ITEMS:

1. Introduction

Russ Kerr (5 minutes).

2. Minutes & Calendar

Ross Meador (5 minutes).

Discuss and approve Minutes of the Annual Meeting October 8, 2004.

Review Calendar of important dates.

3. Financial

Paul Turner & Steven W. DeLateur (15 minutes).

Treasurer's Report.

Discuss State Bar's conversion to a new system during January which is anticipated to result in more accurate reporting and logical expense categories (this was at the suggestion of the State Auditors).

4. Committee Reports

A. Programs

SCHEDULED PROGRAM EVENTS

Winter Section Educational Institute (SEI)

January 28-30, 2005, Palace Hotel in San Francisco.

Peter Gelles (15 minutes)

The following five programs will be presented by the ILS:

- * Ethics and Multi-Jurisdictional Practice Issues relating to Out of State Lawyers and Clients
- * Alien Tort Statute Litigation—Current Status and Prospects
- * Letters of Credit—A Primer for the General Practitioner
- * Doing Business in Mexico—An Introductory Primer
- * International Trade Law Issues for General Practitioners

International Law Weekend West 2005

February 4 and 5, 2005, Whittier Law School

Alan Kindred (5 minutes)

The American Branch of the International Law Association (an old, prestigious international law body) puts on a program every two years in Southern California on a variety of public and private international law topics, known as the International Law Weekend West. The program attracts some very high profile speakers from all over the country. Our Section has co-sponsored the ILW West since it began on a non-financial basis by putting promotional materials in section mailings, notices on the section's website.

CSB-ILS/March 4 Immigration Program

March 4, 2005

Karine Faure Wenger (10 minutes)

The Immigration Law Program will take place at the Hilton/Universal City and now also includes panels on inbound foreign investors and offshoring/outsourcing.

~~~~~

### ***FUTURE STAND ALONE PROGRAM IDEAS***

Peter Gelles (30 minutes)

### **International IP (Crossborder Counterfeiting and Piracy)**

**Date:** Late May or mid-June

**Place:** No. California

**Duration:** ½ - full day

#### **Possible Topics:**

- An overview of IP legal and enforcement systems and protection mechanisms outside the U.S.
- Current and anticipated IP legal, enforcement and protection practice in the PRC
- Practical consequences and business planning implications for U.S. (and/or other?) companies doing business or wishing to do business in the PRC

#### **Possible Speakers:**

- Crossborder/international U.S. and HK/PRC lawyers?
- Other crossborder/international IP speakers able to talk about European/Japanese IP law and practice in their countries and possibly also from their countries to the PRC?
- Governmental representatives?

#### **Target Audience:**

- IP lawyers (including in-house counsel)
- International IP executives
- International business lawyers (and executives)

#### **Possible Co-Sponsors:**

- ACC-A?

- Law firm(s), e.g. Wilson, Sonsini? Heller? MoFo? Howard Rice? other No. Cal (or So. Cal) law firms doing IP-related business in Europe and/or the PRC?
- ABA (with the possibility or utilizing ABA national/international webcasting know-how)?

~~~~

International / Crossborder Strategic Alliance Program

Date: October/November (subject to State Bar “blackout” rules)

Place: Northern California or Southern California

Duration: ½ day-or full day

Suggested Contents:

- Formation and Purposes of Crossborder Strategic Alliances
- U.S. and International Planning Issues
- Dispute Resolution

Possible Co-Sponsors:

- Association of Strategic Alliance Professionals (ASAP)
- ACC-A (non-financial)?
- Interested law firms?
- ABA (with webcasting possibilities)?
- Other usual organizations with attractive mailing lists?

Possible Speakers:

- Neal or someone else from White & Case?
- Julian Gresser (a former big firm attorney and Harvard Law School Visiting Professor now specializing in strategic alliance law and mediation)
- Dmitri Racklin, an alliance law specialist with Wilmer Cutler Pickering/Hale & Dorr in Boston (recommended by Julian Gresser)
- Kenneth A. Clark, of Wilson, Sonsini, et al., who previously has participated in PLI programs on Structuring, Negotiating, and Implementing Strategic Alliances (recommended by Julian Gresser) (see also attached PLI materials)
- A deal-oriented international tax lawyer
- One or more crossborder arbitrator/litigator(s)

~~~~

### ***PROGRAMS FOR ANNUAL MEETING***

ExComm Discussion (20 minutes).

- Appointment of an Annual Meeting Program Chair and Committee for the next State Bar Annual Meeting which will be September 8 to 11 2005, in San Diego. The deadline is coming up almost immediately.

Our Section was invited to provide a list of courses by January 28, 2005, including:

1: Title

- 2: 2 Sentence Description
- 3: Type of Credit, i.e., General, Ethics, Bias, Substance Abuse
- 4: Speaker if you have it (this is optional, the final speaker deadline is May 9, 2005)
- 5: A ranking of courses (we cannot guarantee all courses due to space, please rank your preference while keeping in mind how popular it would be geared towards a general practitioner audience)
- 6: Time Preference
- 7: Any out of the ordinary requests

~~~~

FUTURE PROGRAM PLANNING STRATEGIES

Discussion of instituting a system in which we begin planning for each proposed future programs approximately 6 months ahead of time, with the following proposed schedule:

1. Start by picking a program topic, a proposed program chair (who will be “invested” in the project), a program planning team (including a designated “marketing committee” assistant), a proposed time period (6 months ahead) and a proposed regional location (e.g. No. Cal, So. Cal, or other);
2. Take 1-2 months from the above start date to determine proposed content, date and duration of program (and conflicting/competing dates, if any), proposed speakers, and primary intended financial (and non-financial) sponsors;
3. At least 4 months before program date, confirm arrangements (and get final ExComm “green light”) for date, location, content, duration, primary speakers, co-sponsors and proposed marketing plan;
4. Schedule at least 2 monthly interim dates to report on progress before final “green light” request program (e.g. via ILS conference call and preceding emails to prepare ExComm members for efficient consideration of issues).

Formation of Program Committee

In order to facilitate transition of future program planning from year to year, we will be discussing the formation of a standing Program Committee to comprise:

- A Chair (with at least 1 year of prior ExComm experience);
- A Vice Chair (who should at least be an ExComm member);
- At least 1 Advisor;
- ILS ExComm Vice Chair (ex officio);
- Chair of ExComm Marketing Committee (see below) (ex officio);
- One or more Emeriti Advisors, for continuity/history reasons, if possible.

B. Publications

Practitioner

Babak Nikraves & Ravi Mahalingam (10 minutes).

Newsletter

San San Lee (10 minutes).

e-Brief

Russ Kerr (10 minutes).

· Proposal to have outside sponsorship of the "International Law News" section of the e-Brief by Conan Grames, a California attorney now practicing in Salt Lake City with Kirton & McConkie. After retiring from 17 years as head of international law at Bristol-Myers Squibb Company and previous work with Baker & McKenzie, Conan and his firm are now publishing an international newsletter called *international intelligence Bulletin*.

The proposal is to have their firm provide International Law News content for the e-Brief. The format would be a paragraph of news that includes a hyperlink to the full story at their website. We will include some language at the end of the "International Law News" section similar to the other sections, directing anyone with suggestions to contact their firm directly. To get an idea of the format visit: www.kmclaw.com

C. Publicity

Carol Brittain (10 minutes).

Donal Hanley - Website (5 minutes).

D. Membership & Outreach

Committee Report (15 minutes)

Script for Use at Programs

Mike Perez (5 minutes).

Mike agreed to write a short piece on the benefits of membership that can be distributed at our programs.

Recruitment for ExComm

Russ Kerr (5 minutes).

The DEADLINE for applications for 2005 State Bar Appointments to the ILS Executive Committee is February 1, 2005. Advisors need to reapply. To request applications, please contact Karen Hagelund at 415/538-2299 or karenhagelund@calbar.ca.gov. The applications and descriptions of the committee are also available online at www.calbar.ca.gov select links to Attorney Resources and to Committees and Commissions.

Complimentary Law Student Membership

Follow up on recent resolution to give free membership to third-year law students.

E. Ad Hoc Committees

Career Day

Committee Report (10 minutes)

Career Day planned in Santa Clara for February 4th.

Travel

Committee Report (5 minutes).

LAW DELEGATION TO CUBA

The Iowa State Bar has extended an invitation to members of the California Bar International Law Section to join their legal delegation to Cuba from April 4-10 2005.

Six days will be spent in Cuba getting a privileged look inside the Cuban legal system as well as learning more about the current political landscape. Our itinerary is filled with fascinating meetings and lectures from prominent Cuban judges, professors, lawyers and diplomats. We have also been granted the permission by the President of the Supreme Court to attend a criminal trial in Havana.

The cost of the trip inclusive of airfare from Cancun, Mexico to Havana, Cuba including hotel, Cuban transportation, presentations, and most meals is approximately \$2400. In addition each participant will be responsible for his or her own airfare to Cancun.

This trip is **not** sponsored or approved by the California State Bar, but Iowa is an MCLE approved jurisdiction and its requirements meet MCLE standards adopted by the California State Bar. For more information visit the website of the California State Bar /Attorney Resources/MCLE/Provider Information. The Iowa Bar plans to request approval for 10-15 CLE credits for the trip. The delegation will be limited to approximately 30 attorneys.

Liaisons

Committee Report (15 minutes)

MJP Issues

Committee Report (15 minutes)

Council of Bar Sections

Al Golbert (10 minutes).

Entertainment

Minda Schechter (5 minutes).

New Business

6. Next Meeting

The next meeting will be a teleconference call on Wednesday, March 2, 2005 from 11:30 to 12:30.